

## **BILL ANALYSIS**

Senate Research Center

S.B. 818  
By: Zaffirini  
Finance  
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As Filed

### **DIGEST**

Current figures provided by Webb County district and county clerks indicate that the number of family law and domestic violence cases filed locally in the last four years has increased significantly. This bill would create the 398th District Court of Webb County in order to address the growing number of cases involving adoption, divorces, paternities, juvenile matters, and domestic violence as well as probate and mental health cases.

### **PURPOSE**

As proposed, S.B. 818 creates the 398th District Court of Webb County and requires it to give preference to cases involving family violence and cases under the Family Code. This bill also abolishes the Webb County Court at Law No. 2.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 24C, Government Code, by adding Section 24.543, as follows:

Sec. 24.543. 398TH JUDICIAL DISTRICT (WEBB COUNTY). Provides that the 398th Judicial District is composed of Webb County. Requires the 398th District Court to give preference to cases involving family violence and cases under the Family Code. Provides that in addition to other jurisdiction provided by law, the 398th District Court has the civil and criminal jurisdiction, including probate and mental health jurisdiction, of a county court; and concurrent jurisdiction with County Court at Law No. 1 of Webb County in probate and ancillary matters relating to the Texas Probate Code and the Health and Safety Code. Requires all cases in the 398th District Court to be filed with the county clerk.

SECTION 2. Amends Section 25.2421, Government Code, to provide that Webb County has one statutory county court, the County Court at Law No. 1 of Webb County. Deletes existing law providing for the County Court at Law No. 2. Makes conforming changes.

SECTION 3. Amends Section 25.2422(a), Government Code, to provide that in addition to the jurisdiction provided by Section 25.0003 and other law, a county court at law in Webb County has primary and ancillary jurisdiction for all matters relating to the Texas Probate Code. Makes conforming changes.

SECTION 4. Provides that the 398th Judicial District is created January 1, 1999.

SECTION 5. Requires the initial vacancy in the office of judge of the 398th District Court to be filled by election. Provides that the office exists for purposes of the primary and general elections in 1998. Provides that a vacancy after the initial vacancy is filled as provided by Section 28, Article V, Texas Constitution.

SECTION 6. Provides that all cases filed with the County Court at Law No. 2 of Webb County on or after January 1, 1993, are transferred to the 398th District Court.

SECTION 7. Effective date of SECTIONS 1-3 and 6 of this Act: January 1, 1999.

SECTION 8. Emergency clause.